

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TENNESSEE
WESTERN DIVISION**

**LIBERTY LEGAL FOUNDATION,
JOHN DUMMETT,
LEONARD VOLODARSKY, and
CREG MARONEY,**

Plaintiffs,

v.

**NATIONAL DEMOCRATIC PARTY
of the USA, Inc., DEMOCRATIC
NATIONAL COMMITTEE,
TENNESSEE DEMOCRATIC PARTY,
DEBBIE WASSERMAN SCHULTZ,
CHIP FORRESTER,**

Defendants.

No. 12-2143-STA

ORDER DENYING MOTION FOR LEAVE TO FILE A REPLY

Before the Court is Defendants' Motion for Leave to File a Reply (D.E. # 44), filed on October 11, 2012. Defendants' Motion is denied without prejudice for failure to comply with the Local Rule of Court 7.2(a)(1)(B), which requires actual consultation between the parties, not a mere attempt. Under that Rule, "[t]he burden will be on counsel filing the motion to initiate the conference upon giving reasonable notice of the time, place and specific nature of the conference." Failure to comply with this rule may be deemed good grounds to deny the motion.

Here, counsel for Defendants states that he attempted to contact counsel for Plaintiffs by email on October 11, 2012, the same day Defendants filed their Motion. Counsel for Plaintiffs did

not respond to the email, and to date counsel for Defendants has not amended his Motion to indicate whether opposing counsel ever responded. The Court finds that counsel's attempt at consultation does not comply with Local Rules. Therefore, the Motion is **DENIED** without prejudice to re-file.

IT IS SO ORDERED.

s/ S. Thomas Anderson
S. THOMAS ANDERSON
UNITED STATES DISTRICT JUDGE

Date: October 15, 2012